# BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF ENEFIT AMERICAN OIL FOR AN ORDER ENLARGING THE DESIGNATED OIL SHALE AREA CREATED BY CAUSE NOS. 190-3 AND 190-13 TO INCLUDE LANDS LOCATED IN TOWNSHIPS 9 AND 10 SOUTH, RANGES 24 AND 25 EAST, SLM, UINTAH COUNTY, UTAH

#### **NOTICE OF HEARING**

Docket No. 2015-017 Cause No. 190-14

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, MAY 27, 2015, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq., and as provided for in Utah Code Ann. § 40-6-1 et seq., and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Enlarging the Designated Oil Shale Area created by Cause Nos. 190-3 and 190-13 to include the following lands:

## a. SITLA Leases ML-49104, ML-49105, ML-49106:

## Township 9 South, Range 25 East, SLM

Section 19: S½

Section 30: Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15, N½NE¼, SE¼NE¼

Section 31: Lots 1,2,3, SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,NW<sup>1</sup>/<sub>4</sub>,S<sup>1</sup>/<sub>2</sub>

Section 28: S½

Section 33: Lots 1,2,3,4,5, NE<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>

## Township 10 South, Range 24 East, SLM

Section 1: Lots 1,2,3,4,5, SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>

### b. BLM Lease UTU-84087:

## Township 10 South, Range 24 East, SLM

Section 22: E½SE¼SE¼SW¼, NE¼NE¼SE¼, S½NE¼SE¼, S½ NW¼SE¼, SW¼SE¼, W½SE¼SE¼, NE¼NE¼, S½NE¼, SE¼NW¼, NE¼SW¼,

NE¼SE¼SW¼, W½SE¼SW¼, W½SE¼SE¼SE¼SW¼, E½SE¼SE¼,

NW14NE14SE14, N12NW14SE14

Section 27: NW1/4NE1/4, E1/2NE1/4NE1/4NW1/4, E1/2NE1/4, SW1/4NE1/4,

W½NE¼NE¼NW¼, W½NE¼NW¼, SE¼NW¼, SE¼NE¼NW¼

Section 13: S½N½, S½;

Section 14: S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>, S<sup>1</sup>/<sub>2</sub>;

Section 23: All

Section 24: All

Section 25: W1/2W1/2

Section 26: All

Section 35: N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>

### Township 10 South, Range 25 East, SLM

Section 18: All

Section 19: All

# c. Orion Reserves Limited Partnership (Purchase Option) [Parcel Nos. 09.113.0001, 09.114.0001, 09.112.0002, 09.115.0002, 09.116.0002, 09.117.0002, 09.118.00020:

#### Township 10 South, Range 25 East, SLM

Section 8:NW1/4, S<sup>1</sup>/<sub>2</sub>

Section 9:E½

Section 10:W1/2, NE1/4, NE1/4SE1/4, NW1/4SE1/4

Section 16: NW1/4, SW1/4, SE1/4

Section 17:All

Section 20:N½

Section 21:N½

(the "subject lands");

- 2. Imposing the same standards adopted in Cause Nos. 190-3 and 190-13 to the subject lands;
- 3. Providing that oil and gas operators must comply with the provision of Utah Admin. Code R649-3-31; and
- 4. Providing for such other and further relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 11th day of May, 2015. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <a href="http://ogm.utah.gov/amr/boardtemp/redesign/books.html">http://ogm.utah.gov/amr/boardtemp/redesign/books.html</a>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 30th day of April, 2015.

STATE OF UTAH BOARD OF OIL, GAS AND MINING Ruland J. Gill, Jr., Chairman

/s/Julie Ann Carter

Board Secretary

1594 West North Temple, Suite 1210

Salt Lake City, Utah 84116

(801) 538-5277

## **CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-017 Cause No. 190-14 to be PUBLISHED in the following newspapers on the following days:

May 3, 2015:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

May 5, 2015:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

May 5, 2015:

Vernal Express, a newspaper of general circulation in Uintah and Daggett Counties.

Julie Am Carter

4

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of May, 2015, I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-017, Cause No. 190-14, to be mailed by Email or via First Class Mail with postage prepaid, to the following:

Mark L. Burghardt William E. Ward HOLLAND & HART, LLP 222 South Main Street, Suite 2200 Salt Lake City, UT 84101 Enefit American Oil Attention: Rikki Hrenko-Browning, CEO 307 W 200 S, Suite 4005 Salt Lake City UT 84101

Attorneys for Enefit American Oil

Steven F. Alder, Esq. Assistant Attorney General 1594 West North Temple #300 Salt Lake City, Utah 84116 [Via Email]

Attorney for Division of Oil, Gas and Mining

United States of America Bureau of Land Management Utah State Office 440 West 200 South, Suite 500 Salt Lake City, UT 84101-1345

Ziff Investors Partnership 350 Park Avenue, 11th Floor New York, NY 10022

Anadarko E&P 1099 18th Street, Suite 1800 Denver, CO 80202 Michael S. Johnson Assistant Attorney General 1594 West North Temple #300 Salt Lake City, Utah 84116 [Via Email]

Attorney for Board or Oil, Gas and Mining

School and Institutional Trust Lands Administration 675 East 500 South, Suite 500 Salt Lake City, UT 84102-2818

Bonanza Royalties 350 Cambridge Ave. Palo Alto, CA 94306

Baseline 1801 Broadway, Suite 400 Denver, CO 80202 Enduring 475 17th Street, Suite 1500 Denver, CO 80202

Orion Reserves, Inc. 311 Crescent Drive Bryan, TX 77801-4542

Phillips Petroleum c/o Bill Hastings 8055 E. Tuffs Ave. Parkway Denver, CO 80237

Utah Tribe P.O. Box 100 Ft. Duchesne, UT 84026

Washington University c/o Mineral Services Inc. P.O. Box 8915 St. Louis, MO 63101-8915

Paul Dowding 197 Canyon Breeze Dr. Centreville, UT 84014

Eleanor Fernald 1237 NE 69th St. Seattle, WA 98115

Lawrence Deshayes 98-703 Iho Place, #1203 Aiea, HI 96701

Spindletop Exploration P.O. Box 25504 Dallas, TX 75225-5504 Wallace Family Trust 304 S. State Street, Apt. 3702 Roosevelt, UT 84066

Larry & Cheryl Murray 637 South 100 East (13-1) Roosevelt, UT 84066

Bonnie Lee Sather Estate P.O. Box 608 Roosevelt, UT 84066

Shriners Hospitals for Children 2900 Rocky Point Dr. Tampa, FL 33607

Florence Streeper & Nedene Jacobsen Family Trust P.O. Box 751 Clearfield, UT 84015

Suzanne Deshayes 1175 Westview Dr. Sterling, CO 80751

Chestnut Hill Benevolent Assoc. 910 Boylston St. Chestnut Hill, MA 02467

David Herbaly 1420 W. Canal Court, #150 Littleton, CO 80120

John Colton 1581 Keswick Rd. Sandy, UT 84093 Julie Brigham 2741 W. 134th Circle Broomfield, CO 80020

Elizabeth Beard P.O. Box 309 Cardiff, CA 92007

Ralph Preece 722 South 2300 West Vernal, UT 84078

Kathleen A. Braun Revocable Living Trust 916 Palm Drive St. Charles, MS 63301

Joan Stuckenberg P.O. Box 636 Minocqua, WI 54548

Texian Oil P.O. Box 3528 Beaumont, TX 77704

Edward Koenigsmark 1744 Cecilia St. Cape Giradieu, MO 63701

James Beard Dixon *et al.* P.O. Box 309 Cardiff, CA 92007

Nick Theos Family Trust P.O. Box 282 Meeker, CO 81641 Lee Edelen Reeves 4311 Bayou Blvd., Apt. G-81 Pensacola, FL 32503

George Hoover 1365 Delphie Way Pocatello, ID 83201

Karen Summerhays P.O. Box 544 Kalaheo, HI 96741

Richard H. Palmer Revocable Trust 10093 Midland Blvd. Overland, MS 63114

T-K Production P.O. Box 2235 Billings, MT 59103

Gary & Marilyn Baker 3879 East 480 North Rigby, ID 83442

American Gilsonite HC 73 Box 28 Vernal, UT 84078-9284

Forest Oil Corp. 707 17th St., Suite 3600 Denver, CO 80202

Uintah County Commissioners 152 East 100 North Vernal, UT 84078 Theos Swallow Fork Ranch c/o Angelo Theos P.O. Box 195 Meeker, CO 81641

Rosemary Ermann Trust c/o John E. Russell 34 N. Grove Ave. Webster Groves, MO 63119-1033

Mary K. Henricksen Revocable Trust 300 E. Crescent St. Marquette, MI 49855

John Wehmiller 612 Ogden Ave. Swarthmore, PA 19801

Lucian Michael Sprague 124 Duncan Way Oakland, CA 94611

Louise Atwood 26816 149th Ave. SE Kent, WA 08042

Bernie Braun 5002 Vera Cruz Drive Garland, TX 75043

Steven Tedesco 5535 S. Forest Lane Greenwood Village, CO 80121

David Barton 2915 Coventry Lane Greenwood, IL 46143 Regents of the University of California c/o Farmers National Agent P.O. Box 24000 Oakland, CA 94623-1000

Peter Sinz 1518 Baracuda St. Bahia Vistamar Carolina, PR 00630

Shale Technologies LLC 1354 County Road 246 Rifle, CO 81650

Robert Hanft 26681 County Rd. 32 Elberta, AL 36530

Denise Deshayes Mackinnon 201 High Gables Dr., #308 Gaithersberg, MD 20878

Karl Wallace 1035 East 5625 South Ogden, UT 84405

James Deshayes 6910 Hager Lane Klamath Falls, OR 97603

Ursula Braun 2404 Indian River Dr. Cocoa, FL 32922

Kristin Rodriguez
1 Mink Hollow Land
Millstone Township, NJ 08510

William Edelen 3927 Rincon Ridge Santa Rosa, CA 95404

Dai Edelen Tanner 2320 Amelia Ln. Pensacola, FL 32503

Retamco Operating Co. P.O. Box 790 Red Lodge, MT 59068-0790

Heather Conrad [no address of record]

Keith Bryan [no address of record]

Charles F. Betz, III 1301 Rancho Rd. Arcadia, CA 91006

John Wehmiller 15 Wellington Rd. Wilmington, DE 19803

Jean Stogner [no address of record]

Matthew Coleman [no address of record]

Jordan Griffin [no address of record]

Julie Amn Carter